

**CITY OF VIROQUA
COUNCIL MINUTES
MAY 10, 2022**

1. Roll call:

The regular meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, May 10, 2022 by Mayor Justin Running via online zoom meeting #84761206564 with Alderpersons David Tryggestad, Gregory Splinter, Joseph Ahler, Tanja Birke, Ben Wilson, Cyndy Hubbard, John Thompson, Kristal Welter and Steve Willis present. Alderperson Ben Wilson was excused. Also present were Administrator Nate Torres, City Clerk Lori Polhamus, Public Works Director Sarah Grainger, Library Director Trina Erickson, Police Chief Rick Niedfeldt, Fire Chief Chad Buros, Park & Rec Director Dan Stalsberg, Attorney Stephanie Hopkins, Randy Skinner, Angie Cina, Steve Thompson, Jeff Walbrun, Ruby Hodapp, Christina Dollhausen, Annette Olson, Matthew Voz, Laci Sheldon and Amanda Running

2. Approval of the April 26, 2022 Regular Council minutes – Motion by Alderperson Welter/second by Alderperson Birke to approve the minutes of the previous meeting. Voice vote all in favor. Motion carried.

3. First period for public comment – None

4. Approval of chicken permit for Alex Brusubardis at 794 County Road NN – Motion by Alderperson Hubbard/second by Alderperson Tryggestad to approve the chicken permit. Roll call vote all in favor. Motion carried.

5. Operator license approvals (Public Safety)- Motion by Alderperson Splinter/second by Alderperson Welter to approve operator licenses for Katie Christensen and Jenna Morin. Roll call vote all in favor. Motion carried.

6. Review and approval of special event permit for Driftless Music Fest in Viroqua event on July 9, 2022- Motion by Alderperson Thompson/second by Alderperson Hubbard to approve the special event permit. Roll call vote all in favor. Motion carried.

7. Approval of Temporary Class B beer license for Fourthstream Driftless Music Festival on July 9, 2022 (Public Safety)- Motion by Alderperson Thompson/second by Alderperson Welter to approve the temporary Class B beer license. Roll call vote all in favor. Motion carried.

8. Review and approval of special event permits for Fourthstream Live in Viroqua events in June-September 2022 – These are outdoor music events on Court Street and Railroad Avenue at Walnut Street. They are alternating dates of June 4, July 2, Aug 6 and Sept 3rd on Court St and June 18, July 16, Aug 20, Sept 17 on Railroad Avenue. Motion by Alderperson Welter/second by Alderperson Birke to approve the special event permits. Roll call vote all in favor. Motion carried.

9. Approval of Temporary Class B beer licenses for Fourthstream Live in Viroqua events in June-September 2022 (Public Safety)- Motion by Alderperson Birke/second by Alderperson Hubbard to approve the temporary Class B beer licenses for the dates listed under item eight on the agenda. Roll call vote all in favor. Motion carried.

10. Review and approval of special event permit for Youth Initiative High School Prom on May 21, 2022- this event is being held at the VFW and they want to have music until midnight. This is being brought to Council to authorize the music to be after the 10pm timeframe. Motion by Alderperson Hubbard/second by Alderperson Birke to approve the special event permit. Roll call vote all in favor. Motion carried.

11. Review and approval of special event permit for Memorial Day Parade on May 30, 2022- Motion by Alderperson Thompson/second by Alderperson Tryggestad to approve the special event permit. Roll call vote all in favor. Motion carried.

12. Resolution on Officer Curtis O Starry radio call number retirement (Public Safety) – Officer Starry was killed in the line of duty on 5/13/1953 and a display to honor him is being placed in the new Police Department. This resolution is retiring his radio call number during police memorial week. Motion by Alderperson Thompson/second by Alderperson Hubbard to approve resolution 022RS005. Roll call vote all in favor. Motion carried.

Mayor Running turned the meeting over to Council President Tanja Birke for the next two agenda items.

13. Discussion and possible action regarding Mayor's position with Running Inc. as it relates to the Shared Ride Taxi grant program- Polhamus has been working with WIDOT regarding the taxi program and they stated the city is obligated to establish a firewall between all transit contract/procurement business and Justin Running. He will need to recuse himself from all meetings involving the city's contracts or establishment of their budgets and any procurement including computer documents and any other relevant information. We could have a citizen member replace Justin on the procurement for example. Another option we could explore would be to have Westby do the administration of the grant program. Alderperson Birke stated she asked to have this added to the agenda to make sure the Council and public are aware of any potential conflicts of interest. The finance chair will also be signing off on all bills rather than the mayor since the invoice payable to Running's may be included within the bills. Birke would also like to see a formal ethics ruling on this issue with guidance so we make sure everything is being handled correctly. Motion by Alderperson Birke/second by Alderperson Welter to request a formal opinion and guidance from the ethics commission regarding this issue. Roll call vote all in favor. Motion carried.

14. Resolution for authorized representative to execute documents related to shared ride taxi grant program- Our grant administrators suggested we designate someone other than Justin Running to sign the contracts and other documents due to the conflict of interest. This would designate the administrator as signatory for any shared ride grant documents. Motion by Alderperson Thompson/second by Alderperson Hubbard to approve resolution 22RS006. Roll call vote all in favor. Motion carried. Justin will no longer be signing on the private side of the contracts either. Other family members are allowed to sign contracts on the private side per Attorney Hopkins.

15. Approval of historic property designation at 216 S Center Avenue (Historic Preservation) – The Blue Haus was approved by the Historic Preservation Commission on 3/8/2022 and a public hearing was held 4/12/2022. The family intends to turn it into an Air BNB; however, the Council did not like this decision. Motion by Alderperson Splinter/second by Alderperson Hubbard to approve the designation. Roll call vote all in favor. Motion carried.

16. Approval of Mathy contract for Arena Drive (Public Works) – Motion by Alderperson Hubbard/second by Alderperson Willis to approve the contract for \$118,687.00. Roll call vote all in favor. Motion carried. Funding will come from LRIP and Tid 5.

17. Approval of Council rules and possible amendments relating to virtual participation – having the virtual option is great for consultants but it will be close to the end of July before the IT software will be ready. Phone participation was discussed and they would like to have the option to be able to vote and be part of quorum if necessary. Motion by Alderperson Hubbard/second by Alderperson Welter to have meetings in person only with the option to participate by phone with the ability to vote and be counted for quorum and this will be revisited when the IT software is ready. Roll call vote all in favor. Motion carried. Motion by Alderperson Welter/second by Alderperson Hubbard to adopt the amendments and changes to the council rules as discussed. Roll call vote all in favor. Motion carried.

18. Discussion and possible action regarding returning to in-person meetings – We are moving into the new City Hall on Monday; however, they still have some punch list items to finish with the building. We would like to start having committee meetings the first week in June with the first in-person Council meeting on June 14th. Motion by Alderperson Welter/second by Alderperson Thompson to return to in-person meetings in June as discussed. Roll call vote all in favor. Motion carried.

19. McIntosh Memorial Library updates – Trina Erickson and Laci Sheldon updated the Council on the mobile Mexican Consulate services, the diversity & inclusion award received and the collaboration with the Hmong cultural and community agency.

20. Possible closed session per Wis. Stats 19.85 (1)(c) – considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility – Chief of Police – Motion by Alderperson Hubbard/second by Alderperson Thompson to enter closed session at 8:51 pm. Roll call vote all in favor. Motion carried.

21. Reconvene in open session with possible action on items discussed during closed session – Motion by Alderperson Thompson/second by Alderperson Tryggestad to reconvene in open session at 9:48 pm. Roll call vote all in favor. Motion carried. Motion by Alderperson Thompson/second by Alderperson Tryggestad to approve what was discussed in closed session. Roll call vote all in favor. Motion carried.

22. Payment of bills (Finance) - Motion by Alderperson Hubbard/second by Alderperson Welter to approve the payment of bills on report date 05/05/2022 in the amount of \$567,685.54 and additional bills on report date 05/10/2022 for \$105,824.49. Roll call vote all in favor. Motion carried.

23. Second Period for Public Comment – Torres acknowledged the passing of Jeff Gohlke on behalf of the City.

24. Adjournment - Motion made by Alderperson Wilson/second by Alderperson Birke to adjourn the meeting at 9:53 p.m. Voice vote all in favor. Motion carried.

Minutes respectfully submitted by: Lori Polhamus, City Clerk